

## Message Text

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ORIGIN NEA-10

INFO OCT-01 IO-13 ISO-00 ACDA-07 AGR-05 AID-05 CEA-01

CEQ-01 CG-00 CIAE-00 CIEP-01 COME-00 DLOS-06 DODE-00

DOT-00 EB-07 EPA-01 ERDA-05 FEAE-00 FMC-01 TRSE-00

H-02 INR-07 INT-05 JUSE-00 L-03 NSAE-00 NSC-05 NSF-01

OES-06 OMB-01 PA-01 PM-04 PRS-01 SP-02 SS-15 USIA-06

SAL-01 /124 R

DRAFTED BY NEA/AFN:TSWILKINSON:BAS

APPROVED BY NEA/AFN:WSWEISLOGEL

INR/RGE:RSMITH

L/OES:DCOLSON

NEA/RA:RPRICKETT

D/LOS:JPBERNHARDT

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R 261548Z AUG 76

FM SECSTATE WASHDC

TO AMEMBASSY TUNIS

INFO AMEMBASSY TRIPOLI

USMISSION USUN NEW YORK

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USUN FOR US DEL. LOS

E.O. 11652: N/A

TAGS: ENRG, PLOS, TS

SUBJECT: TUNISIAN/LIBYAN CONTINENTAL SHELF BOUNDARY ISSUE  
AND OIL EXPLORATION

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REF: TUNIS 5619

1. TUNISIAN-LIBYAN SHELF BOUNDARY: FOR POSTS' INFORMATION, RECENT RESEARCH BY OFFICE OF THE GEOGRAPHER SHOWS THAT CERTAIN LOW TIDE ELEVATIONS OFF THE TUNISIAN COAST LINE SOUTHEAST OF THE ISLAND OF DJERBA MAY BEAR ON TUNISIAN/LIBYAN BOUNDARY DISPUTE. IF THESE ELEVATIONS ARE TAKEN INTO ACCOUNT IN DRAWING AN EQUIDISTANT LINE AS THE BASIS FOR DELIMITATION OF THE CONTINENTAL SHELF BETWEEN TUNISIA AND LIBYA, THE EFFECT WOULD BE TO MOVE THE SHELF BOUNDARY SLIGHTLY EASTWARDS FROM PREVIOUS ESTIMATES, AND TO PLACE THE PROPOSED BUTTES DRILLING POINT (COORDINATES 33 DEGREES, 51 MINUTES, 35 SECONDS NORTH; 12 DEGREES, 3 MINUTES, 15 SECONDS EAST) ON THE TUNISIAN SIDE OF THE LINE. (RELEVANT BACKGROUND DATA BEING FOLDED.) THE LOW TIDE ELEVATIONS ARE SHOWN ON CURRENT LARGE SCALE US GOVERNMENT DMA/HC CHART 52160 (SCALE: ONE TO 241,500) AND ON 1957 SMALLER SCALE BC CHART 3920 (SCALE: ONE TO 799,700). HOWEVER, THEY ARE NOT SHOWN ON SMALLER SCALE DMA/HC CHART 52020, WHICH IS AN UPDATED VERSION OF BC 3920.

2. IN A MEETING REQUESTED BY TUNISIANS ON AUGUST 17 IN NEW YORK CITY, STATE DEPARTMENT GEOGRAPHER HODGSON WAS ASKED BY A MEMBER OF THE TUNISIAN LOS DELEGATION ABOUT THE US TECHNICAL VIEW ON DRAWING EQUIDISTANT LINES TO DEFINE SHELF BOUNDARIES. HODGSON REPLIED THAT IF AN EQUIDISTANT LINE APPROACH IS AGREED BY THE STATES INVOLVED IN A DISPUTE, THEN THE BOUNDARY WOULD NORMALLY BE DRAWN USING THE SAME BASE POINTS AS THOSE USED TO ESTABLISH TERRITORIAL SEA LIMITS. IF LOW TIDE ELEVATIONS AND ISLANDS WERE USED TO DELIMIT THE TERRITORIAL SEA, THEY WOULD ALSO BE USED TO DETERMINE SHELF BOUNDARIES. HODGSON ADDED THAT IF THE RESULTING EQUIDISTANT LINE WERE JUDGED TO BE GROSSLY INEQUITABLE, THEN THE STATES INVOLVED MIGHT BE EXPECTED TO SEEK MODIFICATIONS FOLLOWING THE PRINCIPLES OF EQUITY.

3. TUNISIAN REPRESENTATIVE EXPRESSED CONCERN THAT LIBYANS IN ARBITRAL PROCEEDINGS WOULD PROBABLY REJECT THE USE OF LOW TIDE ELEVATIONS BECAUSE THEY ARE NOT SHOWN ON CHART 52020, EVEN IF THEY ACCEPT THE PRINCIPLE LIMITED OFFICIAL USE

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OF EQUIDISTANT LINES.

4. GEOGRAPHER'S CONVERSATION WITH TUNISIAN REP WAS IN RESPONSE TO REQUEST FOR TECHNICAL ADVICE, AND SHOULD NOT BE INTERPRETED AS EVIDENCE THAT U.S. IS SUPPORTING POSITION OF EITHER SIDE IN DISPUTE. ADDRESSEES SHOULD HOLD TO THIS LINE IN ANY FURTHER CONVERSATIONS ON SUBJECT WITH PARTIES DIRECTLY INVOLVED.

5. OIL EXPLORATION: IN AN EARLIER CONVERSATION ON AUGUST 5 DEPTOFF WAS CONTACTED BY D.V. CROWLEY, EXECUTIVE VICE PRESIDENT OF MISSION DRILLING AND EXPLORATION CORPORATION OF NEW ORLEANS FOR ADVICE ON TAKING SUB-CONTRACT TO DO EXPLORATORY DRILLING AT SITE PROPOSED BY BUTTES. DEPTOFF INFORMED CROWLEY OF STANDARD US POLICY ON EXPLORATORY DRILLING WHERE SHELF OR WATERS ARE IN DISPUTE, AND ADDED THAT IN CASES WHERE US COMPANIES HAD DECIDED DESPITE OFFICIAL ADVICE TO PROCEED AT THEIR OWN RISK, WE HAD ASKED THAT THE ACTUAL DRILLING OPERATION BE CARRIED OUT BY VESSELS UNDER FOREIGN FLAGS AND REGISTRATION. MISSION CORPORATION'S SUBSEQUENT OFFER TO BUTTES (REFTEL) SHOULD THUS BE ASSUMED TO HAVE BEEN MADE IN FULL KNOWLEDGE OF THESE USG CAVEATS. KISSINGER

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## Message Attributes

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**Decaption Date:** 01 JAN 1960  
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**Disposition Approved on Date:**  
**Disposition Authority:** SmithRJ  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
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**Disposition History:** n/a  
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**TAGS:** ENRG, PLOS, PBOR, TS, LY  
**To:** TUNIS  
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